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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
SKYLER ADAMS, and)
JAKE HAIDET,)
)
Defendants.)
_____)

Case No. 2:23-CR-00054-RFB-EJY

**STIPULATION AND ORDER TO
CONTINUE MOTIONS DEADLINE
(EIGHTH REQUEST)**

IT IS HEREBY STIPULATED and agreed, by and between JASON M. FRIERSON, United States Attorney, by MELANEE SMITH, Assistant United States Attorney, SKYLER ADAMS, Defendant, by and through his counsel, BENJAMIN F. NEMEC, FEDERAL PUBLIC DEFENDER'S OFFICE, and JAKE HAIDET, Defendant, by and through his counsel, ANGELA H. DOWS, ESQUIRE, CORY READE DOWS & SHAFER, and that the motions and notices of defense deadline, currently set for September 27, 2024, be continued for a period of approximately thirty (30) days, to on or before October 28, 2024.

This stipulation is entered into for the following reasons:

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1 1. Calendar call in this matter is currently set for January 7, 2025; and trial is
2 scheduled for January 27, 2025. (ECF No. 75.)

3 2. All defendants are on pretrial release and agree to the continuance requested herein.

4 3. Defendant David Adams entered into a Pretrial Diversion agreement in April of
5 2024. (ECF No. 65.) The remaining defendants are working on a negotiation short of trial.

6 4. This continuance is not sought for the purpose of delay but to allow defendants
7 adequate time to prepare should the matter not resolve short of trial.

8 5. One or more defense counsel filed notices of affirmative defenses, and pretrial
9 motion(s) on September 12, 2024. (ECF Nos. 68, 69.) Defense counsel request additional time
10 to obtain and review discovery to determine if any additional motions or notices of defense should
11 be filed, and if this case should proceed to trial or ultimately be resolved through negotiations.

12 6. The parties propose that each party shall have thirty (30) days to file pretrial
13 motions and notices of defense from the current deadline to file pretrial motions. Responses shall
14 be due within 14 days of service of the motions; and any replies within 7 days of service of the
15 responses.

16 7. Although the instant stipulation does not request to continue the trial date, the
17 additional time requested by this agreed stipulation is also excludable in computing the time within
18 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, U.S.C.
19 §3161(h)(1)(A); and Title 18, U.S.C. §3161(h)(7)(A), when considering the factors under Title
20 18, U.S.C. §3161(h)(7)(B), §3161(h)(7)(B)(i), and §3161(h)(7)(B)(iv).

21 8. This is the eighth request for a continuance filed herein.

22 For all the above-stated reasons, the ends of justice would best be served by a continuance.

23 Further, although the instant stipulation does not request to continue the motions in limine
24 deadlines or the calendar call or trial dates, the ends of justice served by granting said continuance.
25 The ends of justice outweigh the best interest of the public and the defendant in a speedy trial,
26 since the failure to grant said continuance would be likely to result in a miscarriage of justice,
27 would deny the parties herein sufficient time and the opportunity within which to be able to
28 effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

1 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, U.S.C.
2 §3161(h)(1); and Title 18, U.S.C. §3161(h)(7)(A), when considering the factors under Title 18,
3 U.S.C. §3161(h)(7)(B), §3161(h)(7)(B)(i) and §3161(h)(7)(B)(iv).

4 DATED: September 27, 2024.

5 JASON M. FRIERSON
6 United States Attorney

7 By /s/ Melanee Smith
8 MELANEE SMITH
9 Chief, Special Prosecution Section
Assistant United States Attorney

10 FEDERAL PUBLIC DEFENDER'S OFFICE

CORY READE DOWS & SHAFER

11 By /s/ Benjamin F. Nemec
12 BENJAMIN F. NEMEC, ESQUIRE
13 Counsel for Skyler Adams

14 By /s/ Angela H. Dows
15 ANGELA H. DOWS, ESQUIRE
16 Counsel for Jake Haidet
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	Case No. 2:23-CR-00054-RFB-EJY
Plaintiff,)	
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vs.)	
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SKYLER ADAMS, and)	
JAKE HAIDET,)	
)	
Defendants.)	
)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
FINDINGS OF FACT

Based upon the pending Stipulation of counsel and good cause appearing, the Court finds that:

1. Calendar call in this matter is currently set for January 7, 2025; and trial is scheduled for January 27, 2025. (ECF No. 75.)
2. All defendants are on pretrial release and agree to the continuance requested herein.
3. Defendant David Adams entered into a Pretrial Diversion agreement in April of 2024. (ECF No. 65.) The remaining defendants are working on a negotiation short of trial.
4. One or more defense counsel filed notices of affirmative defenses, and pretrial motion(s) on September 12, 2024. (ECF Nos. 68, 69.) Defense counsel request additional time to obtain and review discovery to determine if any additional motions or notices of defense should be filed, and if this case should proceed to trial or ultimately be resolved through negotiations
5. This continuance is not sought for the purpose of delay but to allow defendants adequate time to prepare.
6. The parties request that the date for filing of any pretrial motions be extended. They propose that each party shall have thirty (30) days to file pretrial motions and notices of defense from the current deadline of September 27, 2024. Responses shall be due within 14 days of service of the motions; and any replies within 7 days of service of the responses.

7. The additional time requested by this agreed motion is also excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, U.S.C. §3161(h)(1)(A); and Title 18, U.S.C. §3161(h)(7)(A), when considering the factors under Title 18, U.S.C. §3161(h)(7)(B), §3161(h)(7)(B)(i), and §3161(h)(7)(B)(iv).

8. This is the eighth request for a continuance filed herein.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, U.S.C. §3161(h)(1); and Title 18, U.S.C. §3161(h)(7)(A), when considering the factors under Title 18, U.S.C. §3161(h)(7)(B), §3161(h)(7)(B)(I) and §3161(h)(7)(B)(iv).

ORDER

IT IS HEREBY ORDERED that the date for filing of any pretrial motions and notices of defense be extended. Each party shall have up to and including October 28, 2024 to file pretrial motions and notices of defense. Responses shall be due within 14 days of service of the motions; and any replies within 7 days of service of the responses.

Dated this 1st day of October, 2024



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE